

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,
v.
LYLE JIM,
Defendant.

No. 2:24-cr-00294-DJC

ORDER

On September 7, 2024, California Highway Patrol officers pulled over Lyle Jim, charged him with driving under the influence, and searched his vehicle. The officers found a pistol with its serial number etched off in the vehicle's center console, and some marijuana. Jim moves to have the discovery of the gun and marijuana suppressed. For the reasons discussed below, the Court DENIES Jim's Motion.

LEGAL STANDARD

The Fourth Amendment provides that the "right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated and no warrants shall issue, but upon probable cause." U.S. Const. amend. IV. If a search is found to be illegitimate, a criminal defendant may invoke the exclusionary rule to suppress evidence obtained in violation of the Fourth Amendment. *See, e.g., United States v. Calandra*, 414 U.S. 338, 341 (1974); Fed. R.

1 Crim. P. 41(h). The exclusionary rule covers not just evidence obtained as a direct
2 result of the illegal search or seizure, but also evidence derived from that illegality,
3 which is considered fruit of the poisonous tree. *United States v. Ngumezi*, 980 F.3d
4 1285, 1290 (9th Cir. 2020).

5 **FACTS**

6 In the early hours of September 7, 2024, a California Highway Patrol ("CHP")
7 officer pulled over Lyle Jim after allegedly observing him driving in excess of the
8 posted speed limit and driving between the marked lanes of the road. (ECF No. 39,
9 Motion to Suppress, hereinafter "Mot." at 3; ECF No. 45, Opposition, at 1-2.) Jim
10 pulled into a nearby gas station parking lot, and the CHP officer asked him for his
11 driver's license, registration, and insurance. (Mot. at 3; Opp'n at 2.) The CHP Officer
12 alleges that Jim had trouble locating his license which was in his wallet, and that she
13 needed to indicate to him where it was. (Opp'n at 2.) She further alleges that Jim's
14 eyes appeared red and watery. (*Id.*) She asked him if he had consumed any alcoholic
15 beverages, which he denied doing. (*Id.*) She then conducted a cursory check of Jim's
16 eyes and alleges that she observed a lack of smooth pursuit and that his head
17 continuously moved, both common indicators of intoxication. (*Id.*) She requested he
18 leave the vehicle and complete a driving under the influence ("DUI") field sobriety test.
19 (*Id.*) At this time, two additional CHP officers arrived at the scene. (*Id.*)

20 Upon leaving the vehicle, the officers allege that Jim struggled to maintain his
21 balance, had red and watery eyes, an unsteady gait, slurred speech, and the odor of
22 an alcoholic beverage emitting from his breath and person. (*Id.*) The officers allege
23 that they again asked Jim if he had consumed any alcohol, which he again denied
24 doing. (*Id.*) Jim failed the subsequent field sobriety test.¹ (*Id.*)

25 Based on the officers' observations of Jim's driving and his behavior after
26 exiting the vehicle, Jim's alleged symptoms of alcoholic impairment, and his failure of

27 ¹ The CHP officers conducted the following four field sobriety tests: Horizontal Gaze Nystagmus, Walk
28 and Turn, One Leg Stand, and Modified Romberg Balance. (Opp'n at 2, n.1)

1 the field sobriety test, the officers arrested Jim for a violation of California Vehicle
2 Code section 23152(a). (*Id.* at 3.) The officers allege that Jim's preliminary breath
3 alcohol screening test recorded a blood alcohol level of .15%, nearly double the legal
4 limit, although it is unclear from the pleadings when the officers administered this
5 screening. (*See id.*;) *see also* Cal. Veh. Code § 23152(b). The officers informed Jim
6 that he would be able to be picked up from the police station by a family member.
7 (Mot. at 3.) During this time, the officers became informed that Jim was the subject of
8 a "watch alert" and a documented gang member. (*Id.* at 3-4.) The officers then
9 placed Jim in a patrol vehicle and began to take inventory of Jim's vehicle before it
10 was towed. (*Id.* at 4; Opp'n at 3.) Upon an initial search of Jim's vehicle, the officers
11 found in the center console a Rock Island Armory, M1911-A1 FS .45 Caliber with the
12 serial number etched off, and some marijuana. (Mot. at 4; Opp'n at 3.)

13 DISCUSSION

14 Jim argues that the officer's warrantless search of his vehicle was an improper
15 investigatory search that violated his Fourth Amendment protections and that any
16 evidence obtained from the search must be suppressed. The Government argues that
17 the search was properly conducted due to the need to inventory the vehicle's contents
18 subsequent to an arrest for a DUI and seizure of the vehicle. The Government also
19 argues that any search was proper under the automobile exception permitting
20 searches subsequent to an arrest. The Court finds that the evidence was properly
21 obtained via an inventory search and therefore does not consider the automobile
22 exception.

23 A. The Evidence is Admissible as the Result of a Valid Inventory Search

24 "[P]olice may, without a warrant, impound and search a motor vehicle so long
25 as they do so in conformance with the standardized procedures of the local police
26 department and in furtherance of a community caretaking purpose, such as
27 promoting public safety or the efficient flow of traffic." *United States v. Torres*, 828
28 F.3d 1113, 1118 (9th Cir. 2016). The purpose of such a search is to "produce an

1 inventory” of the items in the car and “to protect an owner’s property while it is in the
2 custody of the police, to insure against claims of lost, stolen, or vandalized property,
3 and to guard the police from danger.” *Fla. v. Wells*, 495 U.S. 1, 4 (1990) (internal
4 quotations omitted). “To satisfy the Fourth Amendment, an inventory search must
5 serve administrative, not solely investigatory, goals.” *United States v. Anderson*, 101 F.
6 4th 586, 600 (9th Cir. 2024). “Importantly, ‘the mere presence of a criminal
7 investigatory motive or a dual motive—one valid, and one impermissible—does not
8 render an administrative stop or search invalid; instead, . . . [the Court] ask[s] whether
9 the challenged search or seizure would . . . have occurred in the absence of an
10 impermissible reason.’” *United States v. Magdirila*, 962 F.3d 1152, 1157 (9th Cir.
11 2020), quoting *United States v. Johnson*, 889 F.3d 1120, 1126 (9th Cir. 2018).

12 Here, Jim does not have a viable claim that the inventory search was purely
13 driven by investigatory goals. There was a valid administrative reason for inventorying
14 the car, namely that Jim was deemed intoxicated and unable to drive it. Jim argues
15 that the officers only elected to do an inventory search and impound the car after they
16 were informed that he was on a “watch list” and was a known gang member. (Mot. at
17 6-8.) But the inventory search of Jim’s vehicle was necessary. Jim was not able to
18 drive the vehicle anywhere, meaning the officers would needed to have called a tow
19 truck to collect it at some point. And as a part of that process, the officers would have
20 needed to conduct an inventory search as required by CHP policy. (See ECF 39-5
21 (“An inventory shall be conducted after the vehicle is in lawful custody.”).) Jim cannot
22 void the contents of that search merely because the officers found out his status on a
23 watch list or as a known gang member, especially considering that there already
24 existed valid and necessary reason for those officers to conduct a vehicle inventory
25 search. See *Magdirila*, 962 F.3d at 1157. None of Jim’s arguments negate the fact
26 that Jim had already been arrested for a DUI, and there were legitimate reasons for
27 the officers to inventory the vehicle.

1 Separately, Jim argues that his sister was able to come pick up the car,
2 bypassing the need for it to be impounded and inventoried. “[F]ederal law requires
3 that, when a police officer decides to impound a vehicle and conduct an inventory
4 search, the officer must comply with state law governing impoundments.” *United*
5 *States v. Gates*, 755 F. App’x 649, 651 (9th Cir. 2018), citing *United States v. Wanless*,
6 882 F.2d 1459, 1464 (9th Cir. 1989). But in California, CHP officers have no duty to
7 wait for a sober family member to arrive at the scene and transport the car away as an
8 alternative to towing the car and conducting an inventory search. Cal. Veh. Code
9 § 22651(h)(1) (an officer may tow a vehicle if the driver is arrested and taken into
10 custody); see *United States v. Gonzalez*, No. 2:20-CR-13 WBS, 2021 WL 465357, at *3
11 (E.D. Cal. Feb. 9, 2021) (“[T]here appears to be no requirement under California law
12 that law enforcement pursue alternatives to impoundment before impounding a
13 car[.]”); see also *Colo. v. Bertine*, 479 U.S. 367, 374 (1987) (“We conclude that
14 . . . reasonable police regulations relating to inventory procedures administered in
15 good faith satisfy the Fourth Amendment, even though courts might as a matter of
16 hindsight be able to devise equally reasonable rules requiring a different
17 procedure.”). The CHP officers acted in accordance with their policies permitting
18 inventory searches when an officer comes into lawful custody of a vehicle and had no
19 obligation to wait for a family member to arrive to take possession of the car. (See
20 ECF 39-5.)

21 Jim also argues that the CHP officers’ search was deficient, as it classified only
22 some of the items obtained in the inventory search and property receipts were only
23 issued for the gun and marijuana found in Jim’s car. But an officer need not perfectly
24 comply with an inventory policy for an inventory search to be valid; they need only
25 substantially comply. *Magdirila*, 962 F.3d at 1157-58; *Anderson*, 101 F. 4th at 596.
26 While it is true that the CHP policy requires an inventory to include all items accessible
27 in the vehicle, the officers substantially complied with that policy by listing contents
28 including “misc clothes,” “shoes,” “snacks,” “trash,” and “backpack,” in addition to

1 indicating that there were “no items of value.” (See ECF 39-3.) The officers’
2 classification of these items, and separate classification of evidence obtained in the
3 search, did not substantially run afoul of any inventory policy, and if anything, are
4 indicative of compliance with the CHP policy.

5 Accordingly, the Court determines that the subsequent discovery of the gun in
6 the vehicle’s center console and the marijuana are admissible evidence as products of
7 a valid inventory search. Because the Court finds that the officers conducted a valid
8 inventory search, it need not assess whether the vehicle exception also applies.

9 **CONCLUSION**

10 The officers’ search of Jim’s vehicle and their subsequent discovery of a pistol
11 and marijuana in the vehicle are permissible and the Court finds no basis on which to
12 suppress the evidence. Jim’s Motion to Suppress (ECF No. 39) is DENIED.

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14 IT IS SO ORDERED.

15 Dated: **June 22, 2025**


Hon. Daniel J. Calabretta
UNITED STATES DISTRICT JUDGE

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